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DT11 Rec'd PCT/PTO JUN 10 2002

PATENT APPLICATION.  
OUR FILE NO. 20010529.ORI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re App : Lakjaya Buluwela et al.  
S.N. : 10/019,520  
Filed : December 27, 2001  
For : CONTROL OF GENE EXPRESSION  
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LETTER

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

This paper is submitted in response to the Notice to File Missing Requirements dated April 1, 2002 (copy attached), in the above-captioned application.

Submitted herewith please find a copy of the Declaration, Power of Attorney, and Petition, together with a check in the amount of \$130.00 to cover the surcharge for a large entity for the late filing of the Declaration.

The Commissioner is authorized to charge any additional fees or refund any overpayment under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account No. 08-1265.

Respectfully submitted,  
NIKOLAI & MERSEREAU, P.A.

C. G. Mersereau  
Registration No. 26205  
Attorneys for Applicant(s)  
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Minneapolis, MN 55402  
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UNITED STATES PATENT AND TRADEMARK OFFICE



Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/019,520                  | Lakjaya Buluwela      | 20010529.ORI     |

C.G Mersereau  
Nikolai & merswereau  
900 Second avenue south  
Suite 820, International center  
Minneapolis, MN 55402

*Missing Parts:  
June 1, 2002  
BSS 4/8/02*

| INTERNATIONAL APPLICATION NO. |               |
|-------------------------------|---------------|
| PCT/GB00/02497                |               |
| I.A. FILING DATE              | PRIORITY DATE |
| 06/28/2000                    | 06/30/1999    |

**CONFIRMATION NO. 8687**  
**371 FORMALITIES LETTER**



\*OC000000007722656\*

Date Mailed: 04/01/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments

APR - 8 2002

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions

of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- This application does not contain a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- APPLICANT MUST PROVIDE:
  - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
  - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.
- This application does not contain a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHRISTINE S WASHINGTON

Telephone: (703) 305-3752

#### PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/019,520                  | PCT/GB00/02497                | 20010529.ORI     |

10 JUN 2002

CERTIFICATE OF MAILING

I hereby certify that the foregoing Letter, a copy of the Notice to File Missing Requirement of Application bearing a date mailed of April 1, 2002, a copy of the Declaration, Power of Attorney and Petition, together with a check in the amount of \$130.00 in application Serial No. 10/019,520, filed on December 27, 2001, of Lakjaya Buluwela et al, entitled "CONTROL OF GENE EXPRESSION", are being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to The Commissioner of Patents and Trademarks, Washington, D.C. 20231, postage prepaid, on May 30, 2002.

*Barbara L. Davis*

Barbara L. Davis  
Secretary to C. G. Mersereau  
Attorney for Applicant

Date of Signature: May 30, 2002